

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFREY CASEY and MELINDA CASEY,

AA:lb(KH)
3/30/15

Plaintiff,

Docket Number:
12 CV 0843 (NSR)

-against-

CONSOLIDATED EDISON COMPANY OF NEW YORK,
INC., MONASTERY CHURCH OF THE SACRED HEART
and ARCHDIOCESE OF NEW YORK,

**VERIFIED CROSS-
CLAIM**

Defendants.

The defendant, Consolidated Edison Company of New York, Inc., by its attorney, DAVID M. SANTORO, as a cross claim against co-defendant, Monastery Church of The Sacred Heart and Archdiocese of New York, alleges:

That any liability to the plaintiff against the defendant, Consolidated Edison Company of New York, Inc., will have arisen in whole or in part out of the negligent acts of the co-defendants, Monastery Church of The Sacred Heart and Archdiocese of New York their respective agents, and/or employees, and that the defendant, Consolidated Edison Company of New York, Inc., is entitled to be indemnified in whole or in part by Monastery Church of The Sacred Heart and Archdiocese of New York for the amount of any verdict or judgment which may be recovered against it.

WHEREFORE, Consolidated Edison Company of New York, Inc., demands judgment dismissing the complaint with costs and disbursements, and further demands judgment against co-defendants, Monastery Church of The Sacred Heart and Archdiocese of New York for all or part of any judgment recovered against it.

DAVID M. SANTORO
Attorney for Consolidated Edison
Company of New York, Inc.

By: Alexander C. Aviles
Alexander C. Aviles, Esq. (AA2899)
Address:
4 Irving Place
Room 1800
New York, New York 10003-3598

RIDER

To:

KLEIN & FOLCHETTI, P.C.
Robert W. Folchetti, Esq.
Attorney for Plaintiffs
219 Westchester Avenue
6th Fl.
Port Chester, New York 10573-4529

LEAHEY & JOHNSON, P.C.
Steven R. Gustavson, Esq.
Attorney for MONASTERY
and ARCHDIOCESE
120 Wall Street
Suite 2220
New York, New York 10005

CORPORATE VERIFICATION

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

The undersigned, being duly sworn, deposes and says: That I am an officer of Consolidated Edison Company of New York, Inc.; that the foregoing is true to my knowledge except as to the matters therein stated to be alleged upon information and belief, and that as to those matters I believe it to be true.

Acrylic Sign

PHYLLIS D. TAYLOR

An Officer of Consolidated Edison Company
of New York, Inc.

Sworn to before me this April 13th, 2015

B. L. Schmitt

Notary Public

BERNARD C. HERBERT
NOTARY PUBLIC, State of New York
No. 01HE6220126
Qualified in Orange County
Commission Expires April 12, 2018

S-0809-12

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

The undersigned being duly sworn deposes and says: that I am over the age of 18 years; am not a party to this action; and am employed in the office of DAVID M. SANTORO, the attorney for Consolidated Edison Company of New York, Inc.

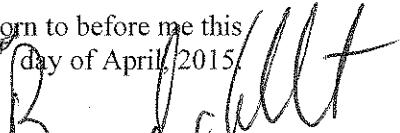
That on the 13rd day of April, 2015, I served the annexed Verified Cross-Claim, upon:

KLEIN & FOLCHETTI, P.C.
Robert W. Folchetti, Esq.
Attorney for Plaintiffs
219 Westchester Avenue
6th Fl.
Port Chester, New York 10573-4529

LEAHEY & JOHNSON, P.C.
Steven R. Gustavson, Esq.
Attorney for MONASTERY
and ARCHDIOCESE
120 Wall Street
Suite 2220
New York, New York 10005

by depositing a true copy of the same enclosed in a post-paid wrapper in an official repository under the exclusive care and custody of the United States Postal Service or by delivering a true copy of the same in a post-paid wrapper to an authorized United States Postal Service employee, directed to the said party/parties at the address(es) set forth above, such being the address(es) designated by the said party/parties for that purpose.


PRISCILLA DIAZ

Sworn to before me this
13th day of April, 2015

BERNARDO C. HERBERT
N.Y.T. #142242, State of New York
04/12/2018
Commission Expires April 12, 2018

Docket Number:

12 CV 08430 (NSR)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFREY CASEY and MELINDA CASEY,

Plaintiff,

-against-

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., MONASTERY CHURCH OF THE
SACRED HEART and ARCHDIOCESE OF NEW YORK,

Defendants.

VERIFIED CROSS-CLAIM

DAVID M. SANTORO

Attorney for

Consolidated Edison Company of New York, Inc.

4 Irving Place, Room 1800
New York, New York 10003-3598
Tel. No. (212) 460-3355
FAX No. (212) 677-5849

To

Service of a copy of the within
is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE:

NOTICE OF ENTRY

that the within is a true copy of an entered in the office of the clerk of the within named court on

NOTICE OF SETTLEMENT

that an Order of which the within is a true copy will be presented for settlement to the HON. one of the judges of the
within named Court, at on at M.

Dated:

Yours, etc.,

DAVID M. SANTORO

Refer all communications to: **ALEXANDER AVILES**